

FILED 9/11/07 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

Arch. Examining
Board / Commission
Minda Lourey
Signature, Executive Officer

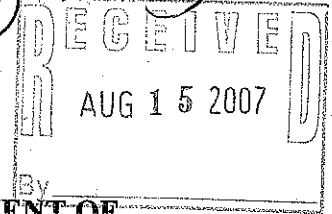
IN THE MATTER OF:

Case No. 07-07

Arthur Koffron
Registration No. 01750
Iowa City, Iowa

Respondent.

COMBINED STATEMENT OF
CHARGES AND CONSENT ORDER
IN A DISCIPLINARY CASE



A. Statement of Charges

1. The Iowa Architectural Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 544A (2007).
2. Respondent was issued Iowa registration number 01750 as a registered architect on January 30, 1975. The registration is active and will next expire on June 30, 2008.
3. Respondent performed architectural services in Iowa under the firm name of "KD3 LLC" for a number of years before registering the firm name with the Board on July 10, 2007.
4. Respondent has accordingly acted in violation of Iowa Code section 544A.21 (practice by business entities).
5. The Board received a complaint against the Respondent in 2004 and a separate complaint against the Respondent in 2005. While Respondent promptly responded to Board inquiries regarding the second complaint, Respondent did not respond to inquiries about the 2004 complaint for a period of years, despite repeated efforts by the Board to elicit Respondent's response. Respondent did ultimately cooperate with the Board in July 2007.
6. The Board has now closed both complaints, but Respondent's failure to cooperate and failure to assure public accountability is a practice harmful or detrimental to the public in violation of Iowa Code section 272C.10(3).
7. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing.

B. Settlement Agreement and Consent Order

8. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily

entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.

7. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

8. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action ~~to be imposed in the event of any future violations.~~

9. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2007).

10. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2007). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

11. This Order is subject to approval of the Board:

(a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

- A. Respondent is reprimanded for practicing architecture within an unregistered business entity, and for failing to take appropriate steps to assure his availability to the Board and to the public in connection with the practice of architecture and, in particular, for failing to promptly respond to Board inquiries in the course of a disciplinary investigation as such inquiries were directed to contact information provided by Respondent.
- B. Respondent shall pay a civil penalty of \$1,000.00 no later than August 15, 2007.
- C. Respondent shall in the future assure the Board has accurate contact information for all locations in which Respondent practices architecture in the State of Iowa, including a mailing address at which he will receive and respond to mail, home and business phone numbers, fax number, and e-mail address.

D. Respondent shall in the future take all steps necessary under Iowa Code chapter 544A to assure he is in responsible charge of the practice of architecture at all locations in which he or his firm practice or offer to practice architecture. Respondent shall in the future also assure that he directly supervises all architectural services performed at all such locations, shall assure that members of the public with whom he or the firm has contact have readily available means of communication about such services, and shall promptly respond to Board inquiries.

AGREED AND ACCEPTED:

The Respondent

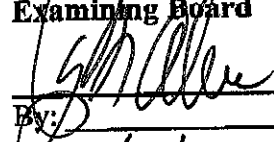


 Arthur Koffron

8/21/07

 Date

**The Iowa Architectural
Examining Board**



 By: _____, Chair

9/11/07

 Date